

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1106

AN ACT

AMENDING TITLE 12, CHAPTER 6, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-717; RELATING TO CIVIL LIABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 12, chapter 6, article 12, Arizona Revised Statutes,
3 is amended by adding section 12-717, to read:

4 12-717. Liquefied petroleum gas provider: liability:
5 definitions

6 A. A LIQUEFIED PETROLEUM GAS PROVIDER IS NOT LIABLE FOR ANY CIVIL OR
7 OTHER DAMAGES IF THE PROXIMATE CAUSE OF THE INJURY OR DAMAGE IS CAUSED BY
8 EITHER:

9 1. AN ALTERATION, MODIFICATION OR REPAIR OF LIQUEFIED PETROLEUM GAS
10 EQUIPMENT THAT COULD NOT HAVE BEEN DISCOVERED BY THE LIQUEFIED PETROLEUM GAS
11 PROVIDER IN THE EXERCISE OF REASONABLE CARE.

12 2. THE USE OF LIQUEFIED PETROLEUM GAS EQUIPMENT IN A MANNER OR FOR A
13 PURPOSE OTHER THAN THAT FOR WHICH THE LIQUEFIED PETROLEUM GAS EQUIPMENT WAS
14 INTENDED TO BE USED OR COULD REASONABLY HAVE BEEN FORESEEN TO BE USED, IF THE
15 LIQUEFIED PETROLEUM GAS PROVIDER OR THE LIQUEFIED PETROLEUM GAS EQUIPMENT
16 MANUFACTURER HAS TAKEN REASONABLE STEPS TO WARN THE ULTIMATE CONSUMER OF THE
17 HAZARDS ASSOCIATED WITH FORESEEABLE MISUSES OF THE GAS EQUIPMENT.

18 B. THIS SECTION DOES NOT AFFECT, MODIFY OR ELIMINATE THE LIABILITY OF
19 A LIQUEFIED PETROLEUM GAS EQUIPMENT MANUFACTURER OR ITS EMPLOYEES OR AGENTS
20 UNDER ANY LEGAL CLAIM, INCLUDING PRODUCT LIABILITY CLAIMS.

21 C. FOR THE PURPOSES OF THIS SECTION:

22 1. "LIQUEFIED PETROLEUM GAS EQUIPMENT" MEANS A LIQUEFIED PETROLEUM GAS
23 APPLIANCE OR OTHER LIQUEFIED PETROLEUM GAS EQUIPMENT.

24 2. "LIQUEFIED PETROLEUM GAS PROVIDER" MEANS ANY PERSON OR ENTITY
25 ENGAGED IN THE BUSINESS OF SUPPLYING, HANDLING, TRANSPORTING OR SELLING AT
26 RETAIL LIQUEFIED PETROLEUM GAS.